



General Assembly

Distr.: General
2 October 2007

Original: English

Sixty-second session

Agenda item 70

Promotion and protection of human rights

Letter dated 21 September 2007 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of Law No. 376-V of Ukraine on the 1932-1933 Holodomor in Ukraine, of 28 November 2006, as well as the text of the appeal of Victor Yushchenko, President of Ukraine, to international leaders on the Holodomor, of 11 April 2007 (see annexes).

I should be grateful if you would have the present letter and its annexes circulated as a document of the General Assembly under agenda item 70.

(Signed) Yuriy Sergeyev
Ambassador

Permanent Representative of Ukraine to the United Nations



Annex I to the letter dated 21 September 2007 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Law of Ukraine No. 376-V on the 1932-33 Holodomor in Ukraine

The Verkhovna Rada (Parliament) of Ukraine decides:

Honouring the memory of millions of compatriots who became victims of the 1932-33 Holodomor in Ukraine and of its aftermath;

Respecting all individuals, who survived this horrific tragedy in the history of the Ukrainian people;

Realizing its moral duty to past and future generations of Ukrainians as well as recognizing the necessity of restoring the historic justice and strengthening the intolerance of society towards any manifestations of violence;

Noting that for many decades the tragedy of the 1932-33 Holodomor in Ukraine was officially denied by the authorities of the Union of Soviet Socialist Republics;

Condemning the criminal acts of the totalitarian regime of the Union of Soviet Socialist Republics that were aimed at the organization of the Holodomor which resulted in the annihilation of millions of people and the destruction of the social foundation of the Ukrainian people and of its centuries-old traditions, spiritual culture and distinctive ethnic character;

Sympathizing with other peoples of the former Union of Soviet Socialist Republics who sustained human losses as a result of the Holodomor;

Highly valuing the solidarity and support of the international community in condemning the 1932-33 Holodomor in Ukraine, reflected in the Acts of Parliament of Argentina, Australia, Canada, the Italian Republic, the Republic of Hungary, Lithuania, the Republic of Poland, the Republic of Georgia, the Republic of Estonia, and of the United States of America, as well as in the Joint Statement on the seventieth anniversary of the Great Famine of 1932-1933 in Ukraine (Holodomor) that was circulated as an official document of the General Assembly and was signed by the Republic of Argentina, the Republic of Azerbaijan, the People's Republic of Bangladesh, the Republic of Belarus, the Republic of Benin, Bosnia and Herzegovina, Canada, the Arab Republic of Egypt, the Republic of Georgia, Guatemala, the Islamic Republic of Iran, Jamaica, the Republic of Kazakhstan, the Republic of Korea, the State of Kuwait, the Kyrgyz Republic, the Republic of Nauru, Nepal, Pakistan, the State of Qatar, the Republic of Moldova, Mongolia, the Russian Federation, Saudi Arabia, the Republic of South Africa, the Republic of the Sudan, the Syrian Arab Republic, the Republic of Tajikistan, the Democratic Republic of Timor-Leste, the former Yugoslav Republic of Macedonia, Turkmenistan, Ukraine, the United Arab Emirates, the United States of America, and the Republic of Uzbekistan, as well as supported by Australia, the State of Israel, the Republic of Serbia and Montenegro and the 25 member States of the European Union;

Proceeding from the Recommendations of the parliamentary hearings regarding the honouring of the memory of the victims of the 1932-33 Holodomor,

approved by the Decree of the Verkhovna Rada of Ukraine #607-IV of 6 March 2003, as well as from the Appeal of the participants in the 14 May 2003 special session of the Verkhovna Rada of Ukraine to the people of Ukraine as to the honouring of victims of the 1932-33 Holodomor, approved by the Decree of the Verkhovna Rada of Ukraine #789-V of 15 May 2003, where the Holodomor was recognized as an act of genocide of the Ukrainian people, resulting from deliberate acts by the repressive, totalitarian Stalin regime aimed at the mass destruction of a part of the Ukrainian people as well as of other peoples of the former Union of Soviet Socialist Republics;

Recognizing, in accordance with the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, the 1932-1933 Holodomor in Ukraine as a purposeful act of mass annihilation of a people, has adopted this Law.

Article 1. The 1932-1933 Holodomor in Ukraine is an act of genocide of the Ukrainian people.

Article 2. Public denial of the 1932-1933 Holodomor in Ukraine shall be recognized as a desecration of the memory of millions of victims of the Holodomor as well as disparagement of the Ukrainian people and shall be unlawful.

Article 3. Organs of State government and local authorities of Ukraine shall undertake, within their competence:

to take part in the formation and realization of the State policy in the field of the restoration and preservation of the national memory of the Ukrainian people;

to promote the consolidation and development of the Ukrainian nation and its historic self-consciousness and culture, as well as the dissemination of information about the Holodomor among citizens of Ukraine and the world public, and to provide for the study of the tragedy of the Holodomor in educational institutions of Ukraine;

to take measures to perpetuate the memory of the victims of the 1932-1933 Holodomor in Ukraine and of those who suffered as a result of it, in particular, through the erection of memorials and obelisks to the victims of the Holodomor;

to facilitate, in accordance with established procedure, access for scientific and public institutions and organizations, scholars and individuals researching the 1932-1933 Holodomor in Ukraine and its aftermath to the archives and other materials regarding the Holodomor.

Article 4. The State shall ensure favourable conditions for research into the 1932-33 Holodomor in Ukraine and for the commemoration of its victims on the basis of a relevant national programme, the annual financing of which shall be made from the State Budget of Ukraine.

Article 5. Final provisions

1. This Law shall enter into force on the date of its publication.

2. The Cabinet of Ministers of Ukraine shall:

1) Determine the status and functions of the Ukrainian Institute of National Memory and ensure its financing from the State Budget as a specially

authorized body of central executive authorities, responsible for the restoration and preservation of the national memory of the Ukrainian people;

2) within three months from the date of entry into force of this Law:

Submit proposals on harmonization of the legislative acts of Ukraine with this Law for consideration by the Verkhovna Rada of Ukraine;

Harmonize its normative and legal acts with this Law;

Ensure the revision or cancellation by bodies of executive power of their normative and legal acts which are not in conformity with this Law.

3) Resolve, in accordance with established procedure, together with Kyiv Municipal State Administration, the issue of the construction in the city of Kyiv of a Memorial to victims of Holodomors in Ukraine on the seventy-fifth anniversary of the 1932-1933 Holodomor in Ukraine.

(Signed) Victor **Yushchenko**
President of Ukraine

**Annex II to the letter dated 21 September 2007 from the
Permanent Representative of Ukraine to the United Nations
addressed to the Secretary-General**

**Appeal by the President of Ukraine to international leaders on
the Holodomor**

In the 1930s the Ukrainian nation survived one of the most fearful tragedies in its history, which claimed the lives of millions of people. They became victims of the genocide of the Ukrainian people, which had been planned and implemented by the communist regime — the Holodomor of 1932-1933. This inhuman crime and its catastrophic consequences were officially denied by the USSR authorities for decades.

Now Ukrainian and foreign scientists have revealed incontestable evidence that the tragedy was caused by intentional actions on the part of the authorities at that time aimed at the assassination of the Ukrainian people through famine. Not only grain, but all food products were requisitioned from the Ukrainian people. Delivery of any food products into Ukrainian villages was prohibited. Starving Ukraine was isolated from other regions of the USSR; the free movement of the people into regions not affected by the famine was prohibited.

The above-mentioned actions on the part of the totalitarian regime met all the criteria for genocide according to the United Nations Convention on the Prevention and Punishment of the Crime of Genocide dated 9 December 1948.

The development of our common future requires the detailed study of the lessons of the past. The international community cannot achieve peace and harmony unless it understands the nature of crimes committed against humankind.

Our duty is to condemn facts of mass killings committed by totalitarian regimes in the past in order to prevent similar crimes in the future.

On 28 November 2006 the Verkhovna Rada (Parliament) of Ukraine adopted the Law on the Holodomor of 1932-1933 in Ukraine, according to which the Holodomor was recognized as the genocide of the Ukrainian people.

Ukraine highly appreciates the solidarity and support of the international community in the condemnation of the Holodomor. Our State is grateful to the peoples and parliaments of Australia, Canada, Estonia, Georgia, Hungary, Lithuania, Poland and the United States of America, whose legislative authorities have expressed their opinion on the Holodomor genocide.

In my capacity as the President of Ukraine, I call for support for the adoption of the United Nations resolution which would condemn the Holodomor in Ukraine, and I call on the parliamentarians of all countries of the world to join in the recognition of the Holodomor of 1932-1933 in Ukraine as an act of genocide against the Ukrainian nation.

At the same time, I appeal to countries to abide by the principles of justice and mutual respect in their relations, to the parental feelings of those who love their children, to the feelings of children who remember and respect their parents.

This will be another step towards the prevention and eradication of the shameful phenomenon of genocide, with the assistance of the international community and the mutual support of people of goodwill.